IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 14TH JUNE 2007 / 24TH JYAISHTA 1929

WP(C).No. 16893 of 2007(J)

PETITIONER:

AJO THOMAS, AGED 40 YEARS,
S/O THOMAS, KACHCHIRA PUTHENVEEDU,
OONNUKAL, CHENNEERKARA VILLAGE,
PATHANAMTHITTA DISTRICT.

BY ADV. SRI. K.SHAJ
SRI.B.BALRAJ
SRI.SAJJU.S

RESPONDENTS:

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1. THE DISTRICT EXECUTIVE OFFICER,
KERALA MOTOR TRANSPORT WORKERS WELFARE FUND BOARD,
PTHANAMTHITTA.

2. THE DISTRICT COLLECTOR,
PATHANAMTHITTA.

3. THE DEPUTY TAHSILDAR (REVENUE RECOVERY),
KOZHENCHERRY TALUK, PATHANAMTHITTA.

BY GOVT. PLEADER SRI.I.V.PRAMOD.
BY STANDING COUNSEL SRI.K.HARILAL.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

WP(C) NO. 16893 OF 2007 - J

Dated this the 14th day of June, 2007

J U D G M E N T

Although the petitioner challenges revenue recovery proceedings for recovery of motor transport workers welfare fund dues on the ground that the same is without issuing final determination order, confronted with the submission made by the Standing Counsel for the first respondent that final determination order was acknowledged by the petitioner, the petitioner now confines his prayer for permission to pay the amount demanded in instalments.

2. Heard the learned counsel for the petitioner as also the learned Government Pleader.

3. In the facts and circumstances of the case, I direct the respondents to permit the petitioner to pay the amounts demanded as per Exts.P3 and P4 in six equal monthly instalments starting from 2.7.2007. Every subsequent instalment shall be paid on the first working day of every subsequent month. If the petitioner pays the instalments without default in time, further proceedings

pursuant to Exts.P3 and P4 shall be kept in abeyance. However, if the petitioner commits default in payment of any one instalment, it would be open to the respondents to continue the proceedings as per Exts.P3 and P4 without having to issue any fresh notice or proceedings in that regard.

The writ petition is disposed of as above.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007